

117TH CONGRESS  
2D SESSION

# S. 3519

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## AN ACT

To amend the National Trails System Act to designate the Butterfield Overland National Historic Trail, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Butterfield Overland  
3 National Historic Trail Designation Act”.

4 **SEC. 2. DESIGNATION OF THE BUTTERFIELD OVERLAND**  
5 **NATIONAL HISTORIC TRAIL.**

6       Section 5(a) of the National Trails System Act (16  
7 U.S.C. 1244(a)) is amended by adding at the end the fol-  
8 lowing:

9               “(31) BUTTERFIELD OVERLAND NATIONAL HIS-  
10 TORIC TRAIL.—

11               “(A) IN GENERAL.—The Butterfield Over-  
12 land National Historic Trail, a trail of approxi-  
13 mately 3,292 miles following the route operated  
14 by the Butterfield Overland Mail Company,  
15 known as the ‘Ox-Bow Route’, to transport mail  
16 and passengers between the eastern termini of  
17 St. Louis, Missouri, and Memphis, Tennessee,  
18 and extending westward through the States of  
19 Arkansas, Oklahoma, Texas, New Mexico, and  
20 Arizona, to the western terminus of San Fran-  
21 cisco, California, as generally depicted on the  
22 maps numbered 1 through 15, entitled ‘Study  
23 Route Maps’, and contained in the report pre-  
24 pared by the National Park Service entitled  
25 ‘Butterfield Overland Trail National Historical

1 Trail Special Resource Study’ and dated May  
2 2018.

3 “(B) MAPS.—The maps described in sub-  
4 paragraph (A) shall be on file and available for  
5 public inspection in the appropriate offices of  
6 the National Park Service.

7 “(C) ADMINISTRATION.—The trail estab-  
8 lished by subparagraph (A) shall be adminis-  
9 tered by the Secretary of the Interior.

10 “(D) LAND ACQUISITION.—The United  
11 States shall not acquire for the trail established  
12 by subparagraph (A) any land or interest in  
13 land outside of the exterior boundary of any  
14 federally administered area without the consent  
15 of the owner of the land or interest in land.

16 “(E) NO BUFFER ZONE CREATED.—

17 “(i) IN GENERAL.—Nothing in this  
18 paragraph, the acquisition of land or an in-  
19 terest in land authorized by this para-  
20 graph, or any management plan for the  
21 Butterfield Overland National Historic  
22 Trail creates a buffer zone outside of the  
23 Butterfield Overland National Historic  
24 Trail.

1                   “(ii) OUTSIDE ACTIVITIES.—The fact  
2                   that an activity or use on land outside the  
3                   Butterfield Overland National Historic  
4                   Trail can be seen, heard, or detected from  
5                   land or an interest in land acquired for the  
6                   Butterfield Overland National Historic  
7                   Trail shall not preclude, limit, control, reg-  
8                   ulate, or determine the conduct or manage-  
9                   ment of the activity or use.

10                  “(F) EFFECT ON ENERGY DEVELOPMENT,  
11                  PRODUCTION, OR TRANSMISSION.—Nothing in  
12                  this paragraph, the acquisition of land or an in-  
13                  terest in land authorized by this paragraph, or  
14                  any management plan for the Butterfield Over-  
15                  land National Historic Trail shall prohibit,  
16                  hinder, or disrupt the development, production,  
17                  or transmission of energy.

18                  “(G) NO EMINENT DOMAIN OR CONDEMNATION.—In carrying out this paragraph, the Sec-  
19                  TION.—

1           retary of the Interior may not use eminent do-  
2           main or condemnation.”.

Passed the Senate December 20, 2022.

Attest:

*Secretary.*

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